

# STATE OF COLORADO

Bill Ritter, Jr., Governor  
James B. Martin, Executive Director

Dedicated to protecting and improving the health and environment of the people of Colorado

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Colorado Department  
of Public Health  
and Environment

February 10, 2009

Byron R. Gale  
EnCana Oil & Gas (USA) Inc. (Mamm Creek)  
370 17<sup>th</sup> Street, Suite 1700  
Denver, CO 80202

Certified Mail Number: 7007 0220 0001 0160 5931

**RE: Order for Civil Penalty, Number: SP-090210-2**

Dear Mr. Gale:

EnCana Oil & Gas (USA) Inc. is hereby served with the enclosed Order for Civil Penalty ("Penalty Order"). This Penalty Order is issued by the Colorado Department of Public Health and Environment's Water Quality Control Division (the "Division") pursuant to the authority given to the Division by §25-8-608(2) of the *Colorado Revised Statutes*. Payment of the imposed civil penalty should be made in accordance with the methods referenced in the Penalty Order and [Compliance Order on Consent Number: SC-081124-1].

If you have any questions regarding the Penalty Order or the payment method, please do not hesitate to contact Michael Harris of this office at (303) 692-3598 or by electronic mail at [michael.harris@state.co.us](mailto:michael.harris@state.co.us).

Sincerely,

Kristi-Raye Beaudin, Legal Assistant  
Compliance Assurance and Data Management Section  
WATER QUALITY CONTROL DIVISION

cc: Consumer Protection Division, CDPHE  
MS-3 File

ec: Aaron Urdiales, EPA Region VIII  
Mark Kadnuck, Engineering Section, CDPHE  
Gary Beers, Permits Unit, CDPHE  
David Neslin, COGCC (*Include For all Oil & Gas Facilities Only*)  
Dick Parachini, Watershed Program, CDPHE  
Carolyn Schachterle, OPA  
Byron Gale, [byron.gale@encana.com](mailto:byron.gale@encana.com)

*Enclosure(s)*



**COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT**  
**DIVISION OF ADMINISTRATION**  
**WATER QUALITY CONTROL DIVISION**

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**ORDER FOR CIVIL PENALTY**

**NUMBER: SP-090210-2**

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**IN THE MATTER OF:      ENCANA OIL & GAS (USA) INC.**  
**CDPS PERMIT NO. COR-030000**  
**CERTIFICATION NO. COR-034840**  
**GARFIELD COUNTY, COLORADO**

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This matter having come to my attention as the Designee of the Executive Director of the Colorado Department of Public Health and Environment upon petition for imposition of a civil penalty by the Water Quality Control Division's Compliance Assurance and Data Management Section, and pursuant to §25-8-608 C.R.S., I hereby impose a civil penalty in the amount of Forty Thousand Three Hundred Thirty Eight Dollars (\$40,338.00) against EnCana Oil & Gas (USA) Inc. ("EnCana") for the violations cited in the Compliance Order on Consent between EnCana and the Division, executed on November 24, 2008 (the "Consent Order"). A copy of the Consent Order is attached hereto as Exhibit A and is incorporated herein by reference. The civil penalty shall be paid within thirty (30) calendar days of the date of this Order for Civil Penalty as set forth in the Consent Order. Method of payment shall be by certified or cashier's check drawn to the order of the "Colorado Department of Public Health and Environment," and delivered to:

Michael Harris  
Colorado Department of Public Health and Environment  
Water Quality Control Division  
Mail Code: WQCD-CADM-B2  
4300 Cherry Creek Drive South  
Denver, Colorado 80246-1530

Dated this 10<sup>th</sup> day of February, 2009.

Steven H. Gunderson, Director  
Water Quality Control Division  
DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT